

Message

From: Kupchan, Simma [Kupchan.Simma@epa.gov]
Sent: 6/25/2020 6:18:19 PM
To: Fotouhi, David [Fotouhi.David@epa.gov]; Neugeboren, Steven [Neugeboren.Steven@epa.gov]; Wehling, Carrie [Wehling.Carrie@epa.gov]
Subject: RE: FL Assumption NOC

David,

R4 asked Florida about timing, and they said that removal of any language included in a notice of change (like the language below) requires the filing of another notice of change. This would add an additional 21 days to their rulemaking during which they could receive additional comments or challenges. As of now, FDEP has not received any challenges on the current notice of change.

Please let us know if you have any questions. Thanks again for your help with this matter.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Fotouhi, David <Fotouhi.David@epa.gov>
Sent: Thursday, June 25, 2020 8:47 AM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>
Subject: RE: FL Assumption NOC

Thanks, Simma. Yes, let's discuss. My initial reaction

Ex. 5 AC/DP

Ex. 5 AC/DP

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Wednesday, June 24, 2020 5:57 PM
To: Fotouhi, David <Fotouhi.David@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>
Subject: RE: FL Assumption NOC

Thanks, David. Carrie and I have discussed this issue with Region 4, and I have discussed separately with OW staff, and of the list of issues Mary forwarded of proposed changes to Florida's rules, we think

Ex. 5 AC/DP

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Thanks for your attention.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Fotouhi, David <Fotouhi.David@epa.gov>
Sent: Wednesday, June 24, 2020 3:36 PM
To: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>
Subject: FW: FL Assumption NOC

Please see below

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Walker, Mary <walker.mary@epa.gov>
Sent: Wednesday, June 24, 2020 3:00 PM
To: Fotouhi, David <Fotouhi.David@epa.gov>; Ross, David P <ross.davidp@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: FW: FL Assumption NOC

David,

Below is the language in the Notice of Change that

Ex. 5 AC/DP

Thanks
Mary

From: Hicks, Matt <Hicks.Matthew@epa.gov>
Sent: Tuesday, June 23, 2020 2:12 PM
To: Walker, Mary <walker.mary@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ashbee, Blake <ashbee.blake@epa.gov>; Allenbach, Becky <Allenbach.Becky@epa.gov>
Subject: FW: FL Assumption NOC

Mary,

As discussed during our briefing, here's a summary of the relevant portions of the Notice of Change Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP) Simma Kupchan (OGC) and Kathy Hurld (OWOW) had some additional thoughts on this which I'm happy to forward if it would be helpful.

Thank you,

Matt

From: Hicks, Matt
Sent: Friday, June 19, 2020 12:16 PM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <laycock.kelly@epa.gov>; Hurld, Kathy <Hurld.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: FL Assumption NOC

Team,

Ex. 5 AC/DP

Ex. 5 AC/DP